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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,777	04/06/2006	Nashiro Iwata	03500.102897.	2531
5514 7590 07/07/2009 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
NGUYEN, NGON BINH				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
07/07/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/574,777

**Applicant(s)**

IWATA ET AL.

**Examiner**

NGON NGUYEN

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S5/ICE)  
Paper No(s)/Mail Date 12/18/06
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102 (b) as being anticipated by Aihara et al. (US Patent No. 6,011,634).

With reference to claim 1, Aihara et al. discloses a portable facsimile equipment (FIG 14) comprising:

an operation panel arranged in an upper front position of an apparatus main body; (column 14 lines 54-65, an operation module, FIG 1/10 and FIG 5/10, includes a keyboard (operation panel), FIG 14/40, whose interior forms a full key matrix (plurality of keys that can be used as a control panel arranged in an upper front position of the facsimile);

a display unit which is closely arranged to said operation panel, located in an upper and rear position of said operation panel upon opening, and overlaid onto said operation panel upon closing (column 17 lines 20-26, a LCD display of the display module, FIG 1/13, is mounted and also to which an LCD board, FIG 14/3, as a lid is

pivotally mounted by means of a hinge mechanism of an arm part, FIG 13/100, of the LCD board. The LCD and lid assembly, FIG 14/3, is located in upper and rear position that when closed overlaid on top of keyboard or operation panel, FIG 14/40);

a document inserting port, arranged in a rear position of said opened display unit of the upper portion of the apparatus main body, for inserting a document (column 19 lines 23-32, document insert slot, FIG 15/103, and a plurality of guide plates for guiding the document inserted through the document inserted slot to the document discharge slot, FIG 15/112, at the rear of the facsimile);

a recording paper inserting port, arranged in a rear position of said opened display unit of the upper portion of the apparatus main body, for inserting recording paper (column 7 lines 31-45, the document insert slot is at the position between the rotary arms of the lid or LCD display assembly, FIG 15/103, as to be opened or closed in response to the opening or closing of the lid or LCD display assembly).

With reference to claim 2 (depends on claim 1), Aihara et al. further discloses a portable facsimile equipment wherein:

display unit is rotated around a rotational center portion as a fulcrum provided for the rear portion of said operation panel, so that it is opened or closed to said operation panel (column 17 lines 20-25, the LCD display and lid assembly, FIG 14/3, is pivotally mounted by means of a hinge mechanism or a fulcrum at the rear portion of the operation panel).

With reference to claim 3 (depends on claim 1), Aihara et al. further discloses a portable facsimile equipment wherein:

an opening angle of said display unit is variable (column 17 lines 20-25, the LCD display and lid assembly, FIG 14/3, is pivotally mounted by means of a hinge mechanism or a fulcrum at the rear portion of the operation panel), therefore the opening angle is variable).

With reference to claim 4 (depends on claim 1), Aihara et al. further discloses a portable facsimile equipment comprising:

a first display apparatus arranged on a first surface of said display unit (FIG 13/3 and FIG 14/3, the LCD display can be designated as the first display assembled on one side of the lid assembly, FIG 14/3, can be designated as the first surface of the lid assembly);

a second display apparatus arranged on a second surface of said display unit opposite to said first surface (column 17 lines 37-39, a plurality of LED displays, FIG 13/45, are mounted on the opposite side designated as the second surface of the lid assembly);

when said display unit is opened, said first display apparatus is exposed and said second display apparatus is hidden from a user, and when said display unit is closed, said first display apparatus is hidden and said second display apparatus is exposed to the user (FIG 13/3 and FIG 14/3, when the lid assembly is opened the first surface is exposed to user while the second display is hidden from the user and vice versa).

With reference to claim 5 (depends on claim 4), Aihara et al. further discloses a portable facsimile equipment wherein:

a first button group and a second button group are arranged on said operation panel, when said display unit is closed, said first button group is hidden and said second button group is exposed to the user, and when said display unit is opened, both of said first button group and said second button group are exposed to the user (FIG 14/40, the first button group which is hidden from user when the lid assembly, FIG 14/3, is closed, which the second button group, FIG 13/4, is exposed to user. Both are exposed to user when the lid assembly is opened).

With reference to claim 6 (depends on claim 5), Aihara et al. further discloses a portable facsimile equipment wherein:

said first button group is buttons regarding the operation of contents which are displayed to said first display apparatus and said second button group is buttons by which the operation can be executed only by displaying onto said second display apparatus without displaying onto said first display apparatus (operation module, FIG 4/10, interfaces with the display module, and FIG 4/13, which operate the LCD display, FIG 8/84, designated as the first display; column 14 lines, the second display, FIG 13/45, emitting light when receiving a signal when the transmission/reception button is depressed).

With reference to claim 7 (depends on claim 4), Aihara et al. further discloses a portable facsimile equipment wherein:

a third button group is arranged in an area out of an area of said first display apparatus of said first surface, the user is notified of functions of said third button group by displaying onto said first display apparatus, and the functions of said third button group are changed due to a change in contents displayed to said first display apparatus (columns 22-28, the third button group being the displayed options in the form of graphic user interface that allow user to select or interact during system operation. The displayed options or software keys are changed as required for different operation).

With reference to claim 8 (depends on claim 4), Aihara et al. further discloses a portable facsimile equipment comprising:

detecting means for detecting opening/closure of said display unit, wherein when said display unit is opened, said first display apparatus is set to a display mode and said second display apparatus is set to a non-display mode, and when said display unit is closed, said first display apparatus is set to the non-display mode and said second display apparatus is set to the display mode (column 3 lines 42-55, the interlock power switch turns off the first display (non-display mode) when the lid assembly, FIG 14/3, is closed an it is enable the fax transmission/reception and the second display, FIG 13/45. is set to display mode).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngon Nguyen whose telephone number is (571)270-7533. The examiner can normally be reached on Mon - Thur 8-5 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/NGON NGUYEN/

Examiner, Art Unit 2625

/Benny Q Tieu/  
Supervisory Patent Examiner, Art Unit 2625